UNTIED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DANIEL MCGREGOR,

            Plaintiff,

                                        CASE NO. 11-15507

v.

                                        HON. MARIANNE O. BATTANI

COMMISSIONER OF SOCIAL
SECURITY,

            Defendant.

_____/

ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION, DENYING PLAINTIFF'S MOTION FOR
SUMMARY JUDGMENT, AND GRANTING DEFENDANT'S
MOTION FOR SUMMARY JUDGMENT

Plaintiff Daniel McGregor filed an appeal of Defendant Commissioner of Social Security's denial of his application for disability benefits. (Doc. 1). The case was referred to Magistrate Judge Michelson in accordance with 28 U.S.C. § 636(b)(1). Subsequently, both parties filed a motion for summary judgment. (Docs. 8, 13). In a Report and Recommendation dated December 10, 2012, Magistrate Judge Michelson recommended that Defendant's motion be granted because Plaintiff failed to demonstrate sufficient error in the Administrative Law Judge's credibility assessment, which is afforded considerable deference. (Doc. 15 at 18). Thus, the Magistrate Judge recommended affirming the decision of the Commissioner to deny benefits. (Id.)

In her R&R, the Magistrate Judge informed the parties that objections to the R&R must be filed within "14 days of service of a copy hereof" and a "[f]ailure to file specific

objections constitutes a waiver of any further right of appeal." (Doc. 15 at 19). Neither party filed objections.

Because no objections were filed in this case, the parties waived their right to *de novo* review and appeal. Accordingly, the Court **ADOPTS** the Magistrate Judge's recommendation, **GRANTS** Defendant's motion for summary judgment, **DENIES** Plaintiff's motion for summary judgment, and **AFFIRMS** the decision of the Commissioner pursuant to 42 U.S.C. § 405(g).

IT IS SO ORDERED.

s/Marianne O. Battani
MARIANNE O. BATTANI
UNITED STATES DISTRICT JUDGE

DATE: January 28, 2013

CERTIFICATE OF SERVICE

I hereby certify that on the above date a copy of this Order was served upon all parties of record, electronically.

s/Bernadette M. Thebolt

Case Manager